Bill No. G-84-03-10

GENERAL ORDINANCE NO. G-

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ('Master") Plan by vacating a portion of a plat.

WHEREAS, a petition to vacate a portion of a plat within the City of Fort Wayne (as more specifically described below) was duly filed with the City Planning Commission; and,

WHEREAS, said Commission duly held a public hearing thereon; and,

WHEREAS, said Commission has duly forwarded its recommendation to this body approving said petition, all in accordance with I.C. 36-7-4-512(2) and this body having held a public hearing on said vacation as provided in I.C. 36-7-3-12; and,

WHEREAS, this body concurs in the recommendation of the City Planning Commission.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the petition filed herein to vacate a portion of a plat with the City of Fort Wayne, more specifically described as follows, to-wit:

Block "A" in Centennial Industrial Park, Section II, according to the recorded plat thereof

and which vacating amends the City Comprehensive ("Master") Plan and is hereby approved in all respects.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, any and all necessary approval by the Mayor.

Janet & Bradbury
COUNCILMEMBER

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APPRO	VED AS TO FORM A	ND LEGALITY:			
BRUCI	O. BOXBERGER, O	CITY ATTORNEY			
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		WIN MOSES,	JR., MAYOR	

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE THE FORT WAYNE CITY PLAN COMMISSION AND THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

IN RE:

VACATION OF BLOCK "A" IN CENTENNIAL INDUSTRIAL PARK, SECTION II, ACCORDING TO THE RECORDED PLAT THEREOF

PETITION TO VACATE BLOCK "A", CENTENNIAL INDUSTRIAL PARK, SECTION II, ACCORDING TO THE RECORDED PLAT THEREOF

TO: FORT WAYNE CITY PLAN COMMISSION AND COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA

Comes now your Petitioner, CENTENNIAL DEVELOPMENT CORPORATION, and respectfully petitions the Fort Wayne City Plan Commission and the Common Council of the City of Fort Wayne, Indiana, to approve the vacation of Block "A", Centennial Industrial Park, Section II, said parcel of real estate to be vacated being shown as a cross-hatched area on Exhibit "1", which said exhibit is attached hereto, incorporated herein and made a part hereof.

In support of said petition, your Petitioner respectfully represents the following:

The Plat of Centennial Industrial Park, Section II, was fully and finally approved by all appropriate and required authorities and recorded on November 4, 1977. All developmental improvements were thereafter installed, including streets, sewers and utilities. An existing easement for utilities which exists in Block "A" will be retained in its present location to serve the real estate as hereinafter set forth.

Petitioner intends to use said parcel of real estate sought to be vacated as the real estate which will comprise Centennial Industrial Park, Section IV, as shown on Exhibit "2" hereto. The vacation of said parcel is required in order to plat said parcel as Centennial Industrial Park, Section IV.

Should the Fort Wayne City Plan Commission and the Common Council of the City of Fort Wayne, grant this petition for vacation of Block "A", Centennial Industrial Park, Section II, cross-hatched on Exhibit "1", your Petitioner will be able to utilize said parcel of real estate to plat and develop Centennial Industrial Park, Section IV, pursuant to the long-range plan of Petitioner for the overall development of Centennial Industrial Park.

The name and address of the owner of all land abutting the portion of the easement proposed to be vacated is as follows: Centennial Development Corporation, in care of Emanco, Inc., 6700 East State Boulevard, Fort Wayne, Indiana 46815.

WHEREFORE, your Petitioner prays that Block "A", Centennial Industrial Park, Section II, as shown by cross-hatching on Exhibit "1" attached hereto be vacated and that the Commission forward its recommendations with respect thereto to the governing body or bodies having jurisdiction over the area.

CENTENNIAL DEVELOPMENT CORPORATION

Paul W. Seitz, President

STATE OF INDIANA, COUNTY OF ALLEN, SS:

Before me, a Notary Public in and for said County and State, personally appeared Paul W. Seitz, President of CENTENNIAL DEVELOPMENT CORPORATION, an Indiana not-for-profit corporation, and acknowledged execution of the foregoing instrument to be his voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and Notarial Seal, this 19th day of December 1983.

Betty J. Mitchell Notary Public County of Residence: Allen

My Commission Expires:

May 5, 1985

RESOLUTION

WHEREAS, Centennial Development Corporation have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a plat in Fort Wayne, Allen Count, to wit:

Vacation of Block "A" in Centennial Industrial Park, Section II, according to the recorded plat thereof.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on March 19, 1984 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of a plat.

WHEREAS, said vacation of the portion of a plat has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of a plat hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of a plat hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of a plat or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of a portion of a plat in Allen County, Indiana

STATE OF INDIANA)
COUNTY OF ALLEN)
SS:

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held March 19, 1984, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 27th DAY OF March 1984

Fort Wayne City Plan Commission

Secretary, Melvin O. Smith

RESOLUTION 74-18-08

WHEREAS, Centennial Development Corporation have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a plat situated in Fort Wayne, Allen County, to wit:

> Vacation of Block "A" in Centennial Industrial Park, Section II, according to the recorded plat thereof.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of portion of a plat has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Parks Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of a plat hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of a plat hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of a plat or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

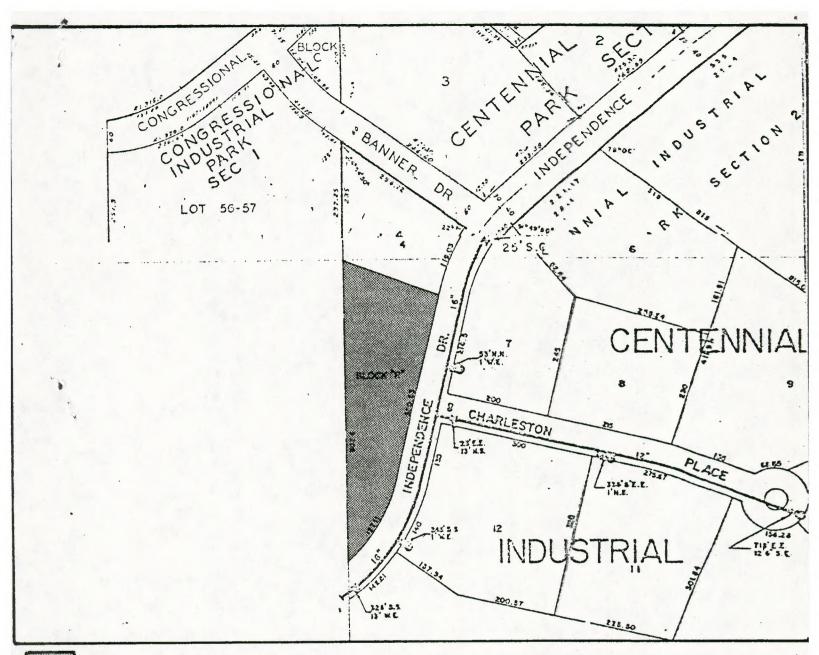
STATE OF INDIANA)
COUNTY OF ALLEN)
SS:

I, David J. Kiester, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held 4/4 1984 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 475 DAY OF April 1984
FORT WAYNE BOARD OF PUBLIC WORKS
David Kill
Chairman, David J. Kiester
Member, Betty Collins
Member, Betty Collins
Member, Frank W. Heyman

	G-84-03-10	
	REPORT OF THE COM	MITTEE ON REGULATIONS
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	amending the Thoroughf	are Plan of the City
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A PETITION TO VACATE THE ABOVE DESCRIBED PROPERTY.

N

6-84-03-10

MAP NO. 1-22



The City of Fort Wayne DIVISION OF LAND USE MANAGEMENT Department of Community Development & Planning

9 April 1984

Members of the Common Council City-County Building One Main Street Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) plat vacation ordinance acted upon by the City Plan Commission at their regular meeting held March 26, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

- 1. Bill No. G-84-03-10
- 2. Intended Use: Vacated portion of plat has been replatted in another section of the industrial park.
- 3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

REASON: The approval of this vacation would involve no interference if if the appropriate easements are provided.

NOTE: Easements have been provided.

If there are any questions, with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F/Baeten

Senior/Planner

GFB:pb

Attachments

ORIGINAL

DIGEST SHEET

Admn.	Appr.	was a second of the second of
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ORIGINAL GELL-02-10

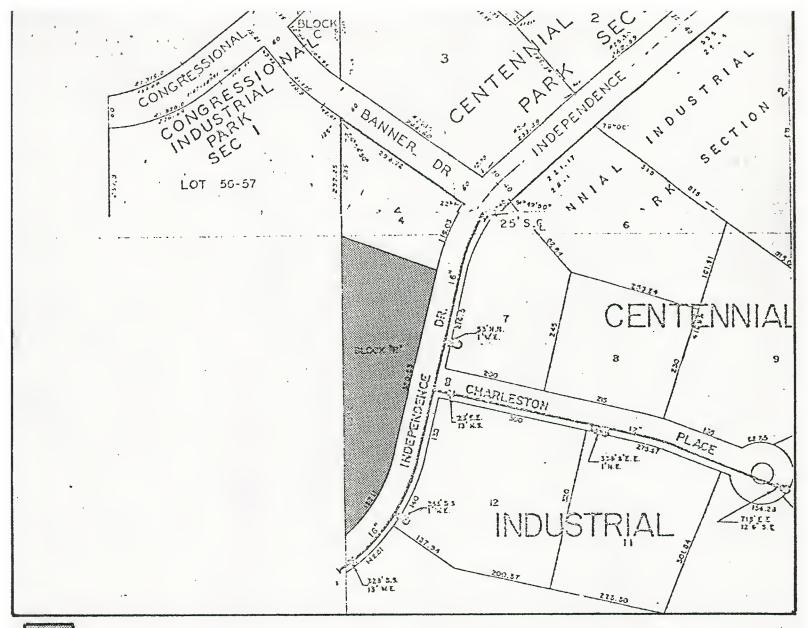
TITLE OF ORDINANCE	Vacation Ordinance Amendment
DEPARTMENT REQUESTING	ORDINANCE Land Use Management - CD&P
YNOPSIS OF ORDINANCE	Da la Maria Carta de la Trabactuica Demis Continu II
EFFECT OF TROOMER	Property is a portion of a recorded plat and therefore subject
	crictions of the plat. Property would become exempt from
restriction	n of the plat.
EFFECT OF NON-PASSAGE	E Property will remain a portion of the recorded plat.
·	
MONEY INVOLVED (Dire	ct Costs, Expenditures, Savings)
	(J.N.)

Notice is hereby given that the Fort Wayne City Plan Commission will conduct a public hearing on Monday, March 19, 1984 at 7:00 P.M. (EST) in Room #126, City-County Building, One Main Street, Fort Wayne, Indiana on the following vacation of a portion of a plat.

Block "A" in Centennial Industrial Park, Section II. according to the recorded

All interested persons are invited t

Agent: Orrin Sessions 6708 C. State Lity 15



A PETITION TO VACATE THE ABOVE DESCRIBED PROPERTY.

MAP NO. 1-22

6-84-03-10



The City of Fort Wayne

April 17, 1984

Orrin Sessions 6700 E. State Fort Wayne, IN

46815

Dear Sir:

NOTICE OF PUBLIC HEARING ON BILL NO. G-84-03-10

You are hereby notified that the Common Counicl of Fort Wayne will conduct a public hearing on Tuesday, April 24, 1984, at 7:30 P.M. (EST) in the Council Conference Room 128, 1st Floor, City-County Building, One Main Street, Fort Wayne, Indiana, on the following:

Block "A" in Centennial Industrial Park, Section II, according to the recorded plat thereof.

All interested persons are invited to appear and be heard. Any written material may be submitted to the Common Council prior to the hearing.

Sincerely yours,

Sandra E. Kennedy

City Clerk

3



The City of Fort Wayne

April 17, 1984

Ms. Trudy Sterling
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Sterling:

Please give the attached full coverage on the date of April 20, 1984, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, IN.

Bill No. G-84-03-10

Please send us 4 copies of the Publisher's Affidavit from both newspaers.

Thank you.

Sincerely yours,

Sandra E. Kennedy

City Clerk

SEK/ne ENCL: 1 NOTICE OF PUBLIC HEARING FORT WAYNE COMMON COUNCIL BILL NO. G-84-03-10

Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, April 24, 1984, at 7:30 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows:

Block "A" in Centennial Industrial Park, Section II, according to the recorded plat thereof.

All interested persons are invited to appear and be heard.

Sandra E. Lennedy

Sandra E. Kennedy City Clerk

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Fort	Wayne	Common	Council
Allen (Gov	ernmental Un	it)	****

To JOURNAL-GAZETTE Dr.
P.O. BOX 100
FORT WAYNE, INDIANA

		PUBLISHER'S CLAIM				
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Date Apr.	20 19 8	7+ Title	CLERK			
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		Personally appeared before me, a notary public in and for	said county and state, the			
		undersigned Drusilla Roose				
		that he/she isCLERK				
COM	ORT WAYNE MMON COUNCIL	JOURNAL-GAZETTE				
Notice is he Wayne Com	NO. G-84-03-10 ereby given that the Fort mon Council of the City	a DAILY newspaper of ge	newspaper of general circulation printed and publishe			
hearing on at 7:30 P.M.	BILL NO. G-84-03-10 Notice is hereby given that the Fort Wayne Common Council of the City of Fort Wayne, will conduct a public hearing on Tuesday, April 24, 1984, at 7:30 P.M. (EST) in Room 128, City-County Building, One Main Street, Fort Wayne, Indiana, more particularly described as follows: Block "A" in Centennial Industrial Park, Section II, according to the recorded plat-thereof. All interested persons are invited to					
Street, Fort particularly Block "A"	Wayne, Indiana, more described as follows: in Centennial Industrial	in state and county aforesaid, and that the printed matter attached hereto is a true c				
Park, Secti recorded pl All interests	ion II, according to the lat thereof. ed persons are invited to					
appear and Fort \	Wayne Common Council Sandra E. Kennedy City Clerk	as follows: 4/20/84				
4/20			illa Roose			
		Subscribed and sworn to me before this	••••••			
		The M. 9	Glikens			
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		My commission expires	•••••			

November 29, 1985

My commission expires